



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

#15
S. Zord
6/10/03

In re the application of)

Schweitzer et al.)

Group Art Unit: 2142)

Application No. 09/552,818)

Examiner: Thompson, Marc D.)

Filed: 04/20/2000)

Attorney Docket No. XACTP015)

For: METHOD AND APPARATUS)
FOR SESSION RECONSTRUCTION)

RECEIVED

JUN 05 2003

Technology Center 2100

Assistant Commissioner for Patents
Washington, D.C. 20231

**DECLARATION OF PRIOR INVENTION IN THE UNITED STATES
OR IN A NAFTA OR WTO MEMBER COUNTRY
TO OVERCOME CITED PATENT OR PUBLICATION (37 C.F.R. section 1.131)**

PURPOSE OF DECLARATION

1. This declaration is to establish completion of the invention in this application in the United States, at a date prior to March 15, 1999, that is the effective date of the prior art article (Roberts, "Rich Data About Customer Usage - Narus's Semantic Traffic Analysis", from Internet World, v5, n10, p27, March 15, 1999) that was cited by the examiner.
2. The person making this declaration is an inventor, Tal Givoly.

FACTS AND DOCUMENTARY EVIDENCE

3. To establish the date of completion of the invention of this application, the following attached exhibit and statement are submitted as evidence:

EXHIBIT A - An internal presentation produced at least as early as 01/01/1999 showing that the invention set forth in the above patent application was conceived at least in part by me at least as earlier as 01/01/1999.

STATEMENT: I, Tal Givoly, hereby state that the invention in the above application was conceived at least in part by me at least as earlier as 01/01/1999, as evidenced by EXHIBIT A. Such invention was conceived of as being capable of identifying a voice call prepaid account associated with a user; receiving a plurality of packets over a network interface, the packets being representative of a voice call over a network; filtering the received packets; analyzing the filtered plurality of packets to identify at least a first flow; identifying an application for the at least a first flow; selecting a corresponding application flow identifier for the application; using the corresponding application flow identifier to identify a plurality of flows in the plurality of packets corresponding to the session; altering accounting operations based on a type of the identified application; charging for the voice call against the voice call prepaid account; and terminating access to voice calls by the user if the voice call prepaid account is exceeded, as well as various other features embodied in the claims and specification of the above patent application.

From this exhibit and statement, it is clear that the invention in this application was conceived of at least as early as 01/01/1999.

DILIGENCE

4. It is hereby declared that applicants acted diligently from a time just prior to the effective date of the citation of the Roberts Article, up to reduction to practice or the filing of the above application.

TIME OF PRESENTATION OF THE DECLARATION

5. This declaration is submitted prior to final rejection.

DECLARATION

6. As a person signing below:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Inventor's signature:

Tal Givoly

Date: May 22, 2003

Country of Citizenship:

ISRAEL

Residence:

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